

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

In re: :
: Case No.: 17-03008
Albert B. Della Vecchia AKA Albert : Chapter 13
Della Vecchia : Judge John J. Thomas
Janet Marie Della Vecchia AKA Janet : *****
M. Della Vecchia, AKA Janet Della
Vecchia

Debtor(s)
Nationstar Mortgage LLC :
Movant, : Date and Time of Hearing
vs : Place of Hearing
: March 6, 2018 at 9:30a.m.
: Albert B. Della Vecchia AKA Albert : 274 Max Rosenn U.S. Courthouse
Della Vecchia : 197 South Main Street
Janet Marie Della Vecchia AKA Janet : Wilkes-Barre, PA, 18701
M. Della Vecchia, AKA Janet Della :
Vecchia : Related Document # 26

Charles J. DeHart III

Respondents.

**STIPULATION FOR SETTLEMENT OF MOTION FOR RELIEF FROM AUTOMATIC
STAY AS TO REAL PROPERTY LOCATED AT
131 TIMBER RIDGE DRIVE, SHOHOLA, PA 18458**

This matter coming to be heard on the *Motion for Relief from Stay* (Dkt. #26) which was filed in this court by Nationstar Mortgage LLC ("Movant"), Movant and Albert B. Della Vecchia AKA Albert Della Vecchia and Janet Marie Della Vecchia AKA Janet M. Della Vecchia, AKA Janet Della Vecchia (collectively, "Debtor"), by and through their attorneys have agreed to a course of action which will condition the continuation of the automatic stay upon certain provisions incorporated herein for the protection of Movant;

As of the date of bankruptcy filing on July 20, 2017, Debtor failed to make regular monthly mortgage payments to Movant and is currently in default for the months of March 2018 and April 2018, incurring a total post-petition arrearage of \$3,809.04, which consists of 2 post-petition payments for March 1, 2018 and April 1, 2018 at \$1,389.02 each, and attorney fees and costs of \$1,031.00. Parties stipulate to the following and request the Court enter an order confirming same.

1. Debtor shall amend the Chapter 13 Plan within 30 days of Court entry of the order approving this stipulation to accommodate the March 2018 payment of the post-petition arrearage in the amount of \$1,389.02 and attorney fees in the amount of \$1,031.00

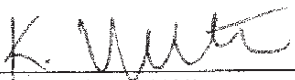
through the Chapter 13 Plan. Additionally, Debtor's amended plan shall provide for payment to Creditor in the amount of \$3,853.01 for post petition disbursement by Creditor for school taxes.

2. Debtor shall remit the April 2018 payment on or before April 13, 2018.
3. Debtor must continue to make timely post-petition mortgage payments directly to Movant pursuant the agreement commencing with the May 1, 2018 post-petition payment.
4. Creditor is permitted to file a supplemental Proof of Claim in the amount of \$6,273.03 representing the post petition arrearage, attorney fees and post petition tax disbursements as outlined above.
5. Payments must be sent directly to Nationstar Mortgage LLC d/b/a Mr. Cooper:


Nationstar Mortgage LLC d/b/a Mr. Cooper
Attention: Bankruptcy Department
PO Box 619094
Dallas TX 75261-9741
Note: Loan #
6. If Debtor fails to amend the Chapter 13 Plan as indicated within ten (10) calendar days after Movant mailed notification to the Debtor and his/her attorney, the stay shall be automatically terminated as to Movant, its principals, agents, successors and/or assigns as to the subject property, upon filing certification of default with the clerk of the court.
7. If Movant fails to receive two (2) post-petition monthly mortgage payments and if the Debtor fails to bring the loan post-petition current within ten (10) calendar days after Movant mailed notification to the Debtor and his/her attorney, the stay shall be automatically terminated as to Movant, its principals, agents, successors and/or assigns as to the subject property, upon filing certification of default with the clerk of the court.
8. If Movant has to send a Notice of Default, the Debtor shall pay \$100.00 per notice, as attorney fees, in addition to whatever funds are needed to cure the default prior to the expiration of the allowed cure period.
9. This Stipulation remains in full force and effect in the event Debtor's case is dismissed by the Court and Debtor subsequently reinstates his case by order of the Court and/or the Creditor obtains relief from stay and the stay is subsequently reinstated by order of the Court.
10. If this bankruptcy proceeding is converted to Chapter 7, dismissed or discharged, this Order shall be terminated and have no further force or effect.

MANLEY DEAS KOCHALSKI LLC

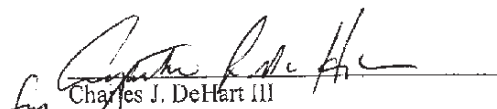
Dated: _____

BY: 
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Dated: May 11, 2018

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Attorney for Debtor

I do not object to the foregoing Stipulation


for Charles J. DeHart III
Chapter 13 Trustee
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